

PATENT
Docket No. 376462000800

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Marco A. Jimenez

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In the application of:

FRYDMAN et. al.

Serial No.: 09/922,407

Filing Date: August 2, 2001

For: CYCLIC POLYAMINE COMPOUNDS
FOR CANCER THERAPY

Examiner: Russell S. Travers

Group Art Unit: 1617

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

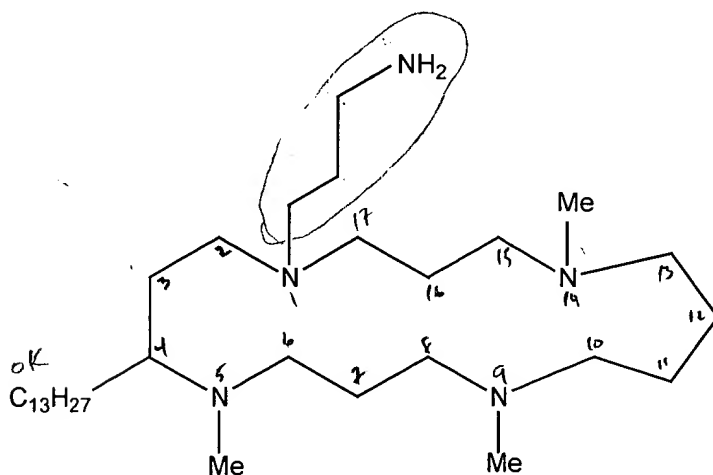
This is in response to the restriction requirement set forth in the Office Action mailed October 2, 2002 (Paper No. 9), for which a response is due on November 2, 2002.

Applicants hereby elect Group I (claims 1-14 and 37-41), without traverse. Applicants expressly reserve their right under 35 U.S.C. § 121 to file a divisional application directed to the nonelected subject matter during the pendency of this application, or an application claiming priority from this application.

Applicants note that, while the Examiner referred to group IV as containing claim 50, it is assumed that this group should contain claims 34, 35, and 36. The Examiner is respectfully requested to confirm this assumption.

Applicants have submitted a Preliminary Amendment, amending the non-elected claims 15, 19, 24, 26, and 44. The process claims of groups II, III, and IV now include all the limitations of the product claims in group I. (Claims 15-30, as amended, contain all the limitations of product claim 1; claims 31 and 34 depend from claim 1; claims 32 and 35 depend from claim 6; claims 33 and 36 depend from claim 11; and claims 42-44 depend from claim 37.) Applicants respectfully request rejoinder of the claims of groups II, III, and IV (claims 15-36 and 42-44) upon allowance of the product claims 1-14 and 37-41 of group I, as permitted by MPEP § 821.04.

Applicants were also required to elect a single compound species. Applicants hereby elect the compound designated as SL-11239 disclosed at page 31 of the instant specification:



Claim 37 reads on this compound; the nonelected method claim 44 reads on a method of making this compound.

Applicants have also submitted a Supplemental Information Disclosure Statement with this response. Applicants respectfully request that the Examiner consider the enclosed

documents and make them of record in the case, and return an initialed copy of the accompanying Form PTO-1449.


Applicants respectfully request examination of the elected subject matter on the merits.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 376462000800. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: October 29, 2002

By:


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